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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA
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9 PHI THI NGUYEN, et al.,) Civil Action No. 3:10-cv-5267-BHS
10 Plaintiffs,)
11 v.) PLAINTIFFS' REPLY IN SUPPORT OF
12 COUNTY OF CLARK, et al.,) MOTION TO COMPEL WEXFORD
13 Defendants.) DEFENDANTS TO DISCLOSE THE
14) ADDRESSES AND TELEPHONE
15) NUMBERS OF INDIVIDUALS IDENTIFIED
16) PURSUANT TO RULE 26 AND FOR
17) SANCTIONS
18)
19) NOTE ON MOTION CALENDAR:
20) OCTOBER 15, 2010

21 The Wexford defendants cite neither authority nor rational basis for their position that
22 Fed. R. Civ. P. 26(a)(1)(A)(i) is satisfied by listing counsel's address and telephone number.

23 Even if the corporate officials and medical professionals who comprise the Wexford
24 defendants were comparable to law enforcement personnel,¹ the limitations sometimes imposed
25 on that disclosure is not absolute. A recent Colorado District Court requiring disclosure of the
26 address and phone numbers of county jail guards in a 42 U.S.C. § 1983 claim for failure to
27 provide medical care and treatment, made this observation:

28 Here, the defendants are county jail guards, and there is no
evidence that their identities are not readily known to the inmates.
There is nothing 'undercover' about their work.

Estate of Rice ex rel. Garber v. City and County of Denver, Colo., 07-cv-01571-MSK-BNB,
2008 WL 2228702, at *4 (D.Colo. May 27, 2008).

¹ Although the Wexford defendants' response asserts they have been or are employed in
"positions related to jail facilities," there is no evidence to support this generalization. *See* Dkt.
63 at 6.

1 As the court further observed:

2 As to most of the personal identifying information, the
3 [defendants] have made no showing that it is maintained as private.
4 . . . Instead, that information is regularly disclosed to friends,
5 relatives, vendors, credit card companies, schools, childrens' [sic]
6 sports teams, on hotel registers, and the like. There is no evidence
here that the [defendants] have maintained this information as
private or confidential.

7 *Id.*

8 For the reasons stated in Plaintiffs' motion, Plaintiffs respectfully request this Court to
9 require the Wexford defendants to disclose the home addresses and telephone numbers of the
10 individuals listed in their Initial Disclosures, and impose such sanctions as are appropriate.

11 DATED: October 14, 2010.

12 DAVID P. MEYER, P.C.

13 By: s/ David P. Meyer
14 David P. Meyer, WSBA 19643
15 Attorney for Plaintiffs
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CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Plaintiffs' Reply In Support of Motion to Compel Wexford Defendants to Disclose the Addresses and Telephone Numbers of Individuals Identified Pursuant To Rule 26 and For Sanctions on:

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— by mailing a full, true and exact copy thereof with the U.S. Postal Service in Portland, Oregon in a sealed, first-class postage prepaid envelope to the attorney's last known address as shown above on the date set forth below.

— by delivering a full, true and exact copy thereof to the attorney and/or to the attorney's office with a clerk or other person in charge as shown above on the date set forth below.

x by filing a full, true and exact copy thereof to the attorney by electronic means in accordance with the court's Electronic Filing Procedures on the date set forth below.

— by sending a full, true and exact copy thereof to the attorney by electronic means on the date set forth below.

DATED: October 14, 2010.

s/ David P. Meyer

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